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Docket No.

Applicant(s): **Funk et al.****064617-0013**

Serial No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/813,493	03/30/2004	Watson	26127	3723	4900

WHEEL POSITIONAL RESTRAINT DEVICE AND METHOD FOR USING THE SAME

I hereby certify that the following document:

Response to Restriction/Election Requirement Under 37 U.S.C. §121

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/813,493	Conf. No.	4900
In re:	Funk et al.	Art Unit:	3723
Filed:	03/30/2004	Examiner:	Watson, Robert C.
For:	WHEEL POSITIONAL RESTRAINT DEVICE AND METHOD FOR USING THE SAME		
Docket No.:	64,617-013	Customer No.:	26127

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT UNDER 35 U.S.C. § 121

Dear Commissioner:

This paper is responsive to the Office Action mailed September 19, 2008. Applicants were advised that due to amendment of the claims, further election between subcombinations disclosed as usable in the disclosed combination were required between Subcombination I (Claim 76); Subcombination II (Claim 77); Subcombination III (Claim 78); Subcombination IV (Claim 79) and Subcombination V (claim 80). Applicants hereby elect, without traverse, the subcombination as identified as Subcombination I by the Examiner (claim 76) drawn to a leveler having the first and second surfaces at different heights.

Applicants understand that upon the indication of allowability of the linking claim(s) 58 and 65, the restriction requirement shall be withdrawn and any claim(s) depending from or otherwise requiring all of the limitations of the allowable linking claim(s) will be rejoined. If the Examiner has any further questions regarding the matter, the Examiner is directed to contact Applicants' undersigned attorney.

Respectfully submitted,

/Michelle R. Osinski/
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Date: October 17, 2008